

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

BALFOUR BEATTY COMMUNITIES, LLC  
Employer

and

Case 28-RC-256955

INTERNATIONAL UNION OF OPERATING  
ENGINEERS, LOCAL NO. 953  
Petitioner

ORDER

The Employer's Request for Review of the Regional Director's Order Resuming Processing of Petition and Revoking Approval of Stipulated Election Agreement and Order to Show Cause is denied as it raises no substantial issues warranting review.<sup>1</sup>

JOHN F. RING, CHAIRMAN

MARVIN E. KAPLAN, MEMBER

WILLIAM J. EMANUEL, MEMBER

Dated, Washington, D.C., May 27, 2020.

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<sup>1</sup> In denying review, we rely on *Super Valu Stores, Inc.*, 179 NLRB 469, 469 (1969) ("Implicit in the Regional Director's authority to approve consent election agreements is his authority to revoke that approval when he determines that changed circumstances, discovered prior to the counting of ballots, warrant such revocation."). We recognize that conducting an election during the Covid-19 pandemic raises unprecedented challenges. The question of whether, when, and how an election will be held is to be resolved in the first instance by the Regional Director and is thus not before us at this time.